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1025

December 29, 2020

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai:

I write to urge the Federal Communications Commission (FCC) to give full and fair consideration of the Petition for Expedited Declaratory Ruling¹ (Petition) filed by NCTA – The Internet & Television Association seeking clarifications of Section 224 of the Communications Act regarding pole attachments regulations. This Petition has the potential to help lower the costs of deploying broadband infrastructure for unserved and underserved communities.

As more Americans turn to internet services for telehealth, online learning, and remote work during the COVID-19 pandemic, access to high-speed, reliable internet is more important than ever. However, according to your own FCC report, millions of Americans still lack access to the broadband services they so desperately need.²

One persistent barrier to broadband deployment in our rural communities is the increased costs associated with infrastructure development. One specific area with the potential to help lower these costs is the guidelines associated with attaching broadband cables to utility poles. Utility poles provide the crucial infrastructure that connects rural homes and businesses; however, currently, far too often, the process of adding new broadband infrastructure to poles involves multiple regulators across several jurisdictions and a complex web of ownership, resulting in delays and added costs. According to some estimates, pole-related costs can account

¹ NCTA Petition for Expedited Declaratory Ruling (Pages 3–4), July 16, 2020, https://ecfsapi.fcc.gov/file/107161552527661/071620%2017-84%20NCTA%20Petition_for_Declaratory_Ruling.pdf

² <https://www.fcc.gov/about-fcc/fcc-initiatives/bridging-digital-divide-all-americans>

for as much as one third of the total buildout expenses in rural areas, not including the additional expenses from delays in construction because providers cannot get permits in a timely fashion.³

With that in mind, I encourage the FCC to consider clarifying its existing regulations regarding utility pole access to ensure a fair and transparent process for both broadband providers and utility pole owners—and, most importantly, to ensure rural communities receive the high-speed broadband services they need to compete in a 21st century economy.

Thank you for considering this request.

Sincerely,

A handwritten signature in blue ink that reads "A. Donald McEachin". To the right of the signature, there is a small vertical line and the letters "M.C." in a smaller font.

A. Donald McEachin
Member of Congress